

Order

Michigan Supreme Court
Lansing, Michigan

November 30, 2010

Marilyn Kelly,
Chief Justice

140922

Michael F. Cavanagh
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway
Alton Thomas Davis,
Justices

WILLIE DRIVER and BEVERLY DRIVER,
Plaintiffs-Appellants,

v

SC: 140922
COA: 280844
Wayne CC: 06-629887-NH

CARDIOVASCULAR CLINICAL
ASSOCIATES, P.C.,
Defendant-Appellee,

and

MANSOOR G. NAINI, M.D. and MICHIGAN
CARDIOLOGY ASSOCIATES, P.C.,
Defendants.

On order of the Court, the application for leave to appeal the March 2, 2010 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other preemptory action. MCR 7.302(H)(1). At oral argument, the parties shall address whether this Court's decision in *Bush v Shabahang*, 484 Mich 156 (2009), allows for the application of MCL 600.2301 in cases involving prematurely filed complaints under MCL 600.2912b(1), and whether *Burton v Reed City Hosp Corp*, 471 Mich 745 (2005), retains any viability in light of *Bush*. The parties may file supplemental briefs within 42 days of the date of this order, but they should not submit mere restatements of their application papers.

The Michigan Association for Justice, Michigan State Medical Society, Michigan Health and Hospital Association, and Michigan Defense Trial Counsel, Inc. are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 30, 2010

Corbin R. Davis

Clerk